

January 19 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

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ATTORNEYS FOR DEFENDANT AND  
APPELLANT NORTHWESTERN  
CORPORATION as a reorganized debtor

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA 09-0578

FILED

JAN 19 2010

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CLERK OF THE SUPREME COURT  
STATE OF MONTANA

HERMAN GONZALES; FAWN LYONS; )  
KEN LAUDATO; LAWRENCE )  
WALKER; GARY MANSIKKA; GARY )  
GALETTI; GREG WHITING; MARVIN )  
KRONE; RICHARD BLACK; JIM )  
KELLY; CHRIS SOUSLEY, all others )  
similarly situated, )

Plaintiffs and Appellees, )

v. )

MONTANA POWER COMPANY; )  
NORTHWESTERN CORPORATION, a )  
Delaware corporation; PUTMAN AND )  
ASSOCIATES, INC., a Montana )  
corporation; NORTHWESTERN )

**STIPULATION AMONG  
APPELLEES,  
NORTHWESTERN  
CORPORATION, AS A  
REORGANIZED DEBTOR,  
AND PUTMAN &  
ASSOCIATES, INC. TO STAY  
THE BRIEFING SCHEDULE**

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ENERGY; NORTHWESTERN	)
CORPORATION dba NORTHWESTERN	)
CORPORATION as a reorganized debtor,	)
subsequent to its plan confirmation, herein	)
after referred to as NOR; and JOHN DOES	)
II and III and JOHN DOES IV through XX,	)
	)
Defendants and Appellants.	)

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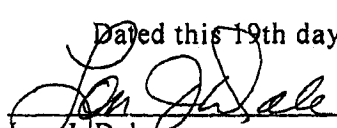
Appellees, Appellant Northwestern Corporation (as a reorganized debtor) (hereinafter "Northwestern") and Appellant Putman and Associates, Inc. (hereinafter "Putman"), here by stipulate to stay the briefing schedule as it pertains to those parties since they have reached a conceptual settlement agreement. These parties further state as follows:

1. A Rule 7, Mont. R. App. P., mediation was held in this matter on January 6 and 7, 2010, in Bozeman, Montana. The Appellate Mediator, Tracy Axelberg, has submitted a report to the Court concerning the status of the mediation conference conducted in this litigation.
2. Appellees, Northwestern and Putman have reached a conceptual settlement agreement.
3. These parties are working to finalize the settlement.
4. The current briefing schedule requires Northwestern and Putman to file an opening brief on January 22, 2010.
5. Appellees, Northwestern and Putman hereby stipulate to stay the current briefing schedule pending a final settlement agreement as the briefing schedule pertains to these parties. The parties settlement efforts shall be provided by status reports from the Mediator.

6. This stipulated stay would not effect the briefing schedule as it pertains to Montana Power Company.

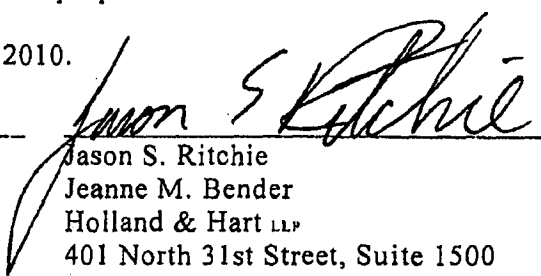
7. The parties have submitted a proposed order for the Court's convenience.

Dated this 19th day of January, 2010.

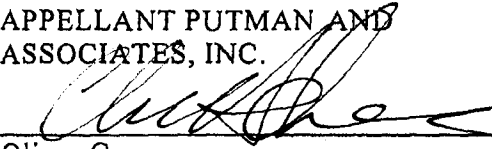
  
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ATTORNEYS FOR DEFENDANT AND  
APPELLANT NORTHWESTERN  
CORPORATION as a reorganized debtor

## **CERTIFICATE OF SERVICE**

This is to certify that the foregoing was mailed to the following persons by  
United States mail, postage prepaid on the date herein.

Joe Seifert  
Keller, Reynolds, Drake, Johnson & Gillespie  
50 South Last Chance Gulch  
P.O. Box 598  
Helena, MT 59624

Dated this 19<sup>th</sup> day of January, 2010.

A handwritten signature in black ink, appearing to read "Joe Seifert", is written over a horizontal line.